

REMARKS**Rejection under 35 U.S.C. §103(a)**

Claims 1-7 were again rejected under 35 U.S.C. § 103(a) as obvious over Obrecht, et al. (U.S. Patent No. 6,127,488) alone or in view of Ludger, et al. (CA 2,298,498). Applicants respectfully traverse this ground of rejection.

Applicants herein resubmit and incorporate their comments filed on September 16, 2003. As previously argued, Applicants submit that the teaching to make the claimed combination and the reasonable expectation of the success of the invention is found in the Applicants disclosure, not in the cited references.

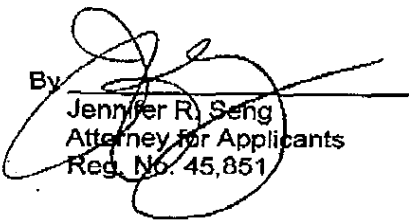
The present invention relates to rubber compounds based on rubber particles and phosphoryl polysulfides, as discussed in the disclosure the addition of polysulfides improves the strengthening effect of rubber particles, in particular the product $S_{300} \times D$ of the modulus at 300% elongation (S_{300}) and the elongation at break without lowering the resilience of the vulcanizates produced.

As previously submitted by Applicants, Obrecht, et al. discloses rubber mixtures of SBR/butadiene rubber gel and double bond containing rubber. Obrecht, et al. does not teach or suggest the use of phosphoryl polysulfides as claimed.

Also, as previously submitted by Applicants, Ludger, et al. discloses a process for the production of phosphoryl polysulfides as claimed. According to Ludger, et al. the proposed polysulfides are useful as sulfur donors for the vulcanization of natural and synthetic rubbers, they are not taught or suggested to be useable in compositions comprising a rubber and a rubber gel. Further, Applicants submit there is no motivation for one skilled in the art to combine the compounds of Ludger, et al. with Obrecht, et al. with the expectation that the phosphoryl polysulfides would improve the strengthening effect of rubber compounds which include rubber gels.

Accordingly, Applicants request withdrawal of this ground of rejection.

Respectfully submitted,

By 
Jennifer R. Seng
Attorney for Applicants
Reg. No. 45,851

Bayer Polymers LLC
100 Bayer Road
Pittsburgh, Pennsylvania 15205-9741
(412) 777-3879
FACSIMILE PHONE NUMBER:
(412) 777-3902
jo/SENG/jrs174